

REMARKS

Claims 1 through 19 have been canceled. Claims 20 through 29 have been added.

Information Disclosure Statement

The documents requested in the Office Action are enclosed with this Office Action along with a copy of the PTO-1449 filed on October 15, 2001. As these documents were previously submitted with the Information Disclosure Statement filed on October 15, 2001, no fee is required under 37 C.F.R. 1.97. However, if necessary, the U.S. Patent Office is authorized to charge the fee specified in 37 C.F.R. 1.97(c) of \$180.00 to Alcatel Deposit Account No. 50-0838.

Double Patenting Rejection

The Office Action rejected the application over claims 1, 3, through 5, 7 through 10, 12 and 13 of co-pending "Application No. 10/163,098." After a thorough search of our databases, we have been unable to find an application filed by Alcatel with the Serial No. of 10/163,098. It is respectfully requested that further information on the application be provided, such as title, inventors and filing date such that the application may be found and considered.

Rejections Under 35 U.S.C. 112

Claims 1 through 19 were rejected under 35 U.S.C. 112 as being indefinite. Claims 1 through 19 have been cancelled.

Rejections Under 35 U.S.C. 102

The Office Action rejected Claims 1 through 4, 6 through 9, 11 through 18 under 35 U.S.C. 102(a) as being unpatentable over Prior Art of Figure 1 (Figure 1) or U.S. Patent No. 5,530,712 to *Solina et al.* (the *Solina* reference). In addition, Claims 5, 10, 19 under 35 U.S.C. 103(a) as being unpatentable over Figure 1 or the *Solina* reference in view of U.S. Patent

6282218 to *Anderson* (the *Anderson* reference). Claims 1 through 19 have been canceled and claims 20 through 29 have been added. As to claims 20 through 29, none of the cited references, either alone or in combination, disclose or suggest the requirements of the claims.

Independent Claim 20 and Dependent Claim 21

The references fail to disclose the requirement, *inter alia*, of claim 20 of, “a wavelength compensation signal combined with the temperature monitor signal to provide a wavelength control signal, wherein the wavelength compensation signal is proportional to the power control signal; and wherein the temperature control circuit adjusts the control current to the thermoelectric element responsive to a difference between the temperature reference voltage input and the wavelength control signal to help maintain operation of the laser diode around a nominal operating wavelength.” As seen in Figure 1, there is no wavelength compensation signal combined with the temperature monitor signal. Similarly, no wavelength compensation signal is shown in figure 1 of the *Solina* reference. The *Anderson* reference also does not illustrate a wavelength compensation signal in Fig. 1B and in fact shows no temperature control circuit at all.

Independent Claim 22 and Dependent Claims 23 and 24

The references fail to disclose the requirement, *inter alia*, of claim 22 of, “a wavelength compensation signal added to the temperature monitor signal to provide a wavelength control signal, wherein the wavelength compensation signal is proportional to the power control signal; wherein the temperature control circuit adjusts the temperature control signal to the thermoelectric element responsive to a difference between the temperature reference voltage input and the wavelength control signal.” As seen in Figure 1, there is no wavelength compensation signal combined with the temperature monitor signal. Similarly, no wavelength compensation signal is shown in figure 1 of the *Solina* reference. The *Anderson* reference also does not illustrate a wavelength compensation signal in Fig. 1B and in fact shows no temperature control circuit at all.

Independent Claim 25 and Dependent Claims 26 through 29

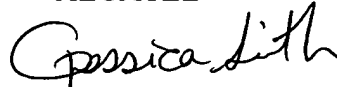
The references fail to disclose the requirement, *inter alia*, of claim 25 of, “a wavelength compensation signal added to the temperature monitor signal to provide a wavelength control signal, wherein the wavelength compensation signal is based on a wavelength of the output signal of the laser diode; and wherein the temperature control circuit adjusts the temperature control signal to the thermoelectric element responsive to a difference between the temperature reference voltage input and the wavelength control signal.” As seen in Figure 1, there is no wavelength compensation signal combined with the temperature monitor signal. Similarly, no wavelength compensation signal is shown in figure 1 of the *Solina* reference. The *Anderson* reference also does not illustrate a wavelength compensation signal in Fig. 1B and in fact shows no temperature control circuit at all.

Conclusion

For the above reasons, the foregoing amendment places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact Jessica Smith at (972) 477-9109.

Respectfully submitted,

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